IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Bail Appl..No. 5749 of 2007()

CRIME NO. 5749/07 OF MALLAPPALLY EXCISE RANGE
CRMP.1659/2007 of DISTRICT COURT, PATHANAMTHITTA

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PETITIONER/IST ACCUSED

SANKARANARAYANAN, AGED 61 YEARS,
RESIDING AT NARAKATHINAM KUZHIYIL,
KOTTANGAL MURI, MALLAPPALLY TALUK.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY THE EXCISE
INSPECTOR, MALLAPPALLY EXCISE RANGE,
MALLAPPALLY (CRIME NO.33 OF 2007)
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5749 of 2007

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Dated this the 24th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He, along with the co-accused, was allegedly found to in possession of 66 litres of rectified spirit on 15.8.2007 when he was apprehended. The co-accused could not be apprehended. He has subsequently been arrested. The petitioner continues in custody from 15.8.2007. The petitioner has no history of any criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

5. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon. on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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